UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF MICHIGAN

KATHY AVEY,		
Plaintiff, vs.	Case No. Hon.	
THE HARTFORD,		
Defendant.	,	
Eric I. Frankie (P47232) Attorney for Plaintiff 535 Griswold, Suite 111-542 Detroit, MI 48226 (248) 219-9205		

COMPLAINT AND JURY DEMAND

- I. PARTIES, JURISDICTION AND VENUE
- Plaintiff Kathy Avey ("Plaintiff") is a resident of the City of Whitmore Lake, County of Washtenaw, State of Michigan.
- Defendant The Hartford ("Defendant") is a private corporation doing business in the State of Michigan.
- 3. This Court has jurisdiction of this action under ERISA, 29 U.S.C. §1132(e) and 28 U.S.C. § 1131.
- 4. The United States District Court for the Eastern District of Michigan is a proper venue for this action because the actions complained of occurred herein.

II. GENERAL ALLEGATIONS

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5. Plaintiff was the beneficiary of a long-term disability contract with Defendant through her

employer Gordon Food Service, Inc.

6. Defendant has denied Plaintiff's appeal of its denial of her long-term disability benefits in a

letter dated August 19, 2013.

7. Plaintiff has exhausted all administrative remedies prior to bringing this action.

III. COUNT I- VIOLATIONS OF ERISA

8. Plaintiff re-alleges and incorporates by reference the foregoing paragraphs as if fully set forth

herein, line for line, and word for word.

9. Plaintiff's claim seeks to recover benefits, enforced rights, including clarified rights to future

benefits under 29 U.S.C. §1132(a)(i)(B).

10. Defendant's denial of Plaintiff's long-term disability benefits was arbitrary and capricious and

not supported by substantial evidence in the administrative record.

WHEREFORE Plaintiff respectfully requests that this Honorable Court enter judgment for Plaintiff

and against Defendant for damages, including past, present and future long-term disability benefits

and attorney fees pursuant to 29 U.S.C. §1132, and any other relief this Court deems equitable, just

and proper.

Respectfully Submitted,

Dated: September 28, 2015

By:___s/Eric I. Frankie_

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